



General Assembly

February Session, 2004

Raised Bill No. 5606

LCO No. 2100

02100_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE RECOVERY OF DAMAGES FOR THE
UNLAWFUL KILLING OR INJURING OF A COMPANION ANIMAL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) For the purposes of
2 this section, "companion animal" means a domesticated, warm-
3 blooded animal that is normally kept in or near the household of its
4 owner or keeper and is dependent on a person for food, shelter and
5 veterinary care, but does not include an animal kept for farming or
6 biomedical research practices.

7 (b) Any person who intentionally kills or injures a companion
8 animal, except in defense of such person or another person or as
9 otherwise authorized by law, shall be liable to the owner of such
10 companion animal for economic damages sustained by such owner
11 including, but not limited to, expenses of veterinary care, the fair
12 monetary value of a deceased companion animal and burial expenses
13 for a deceased companion animal.

14 (c) In addition to any economic damages awarded pursuant to
15 subsection (b) of this section, and except as provided in subsection (d)

16 of this section, the court may award punitive damages in an amount
17 not to exceed the jurisdictional monetary limit established by
18 subsection (d) of section 51-15 of the general statutes, together with a
19 reasonable attorney's fee.

20 (d) The court shall not assess punitive damages and a reasonable
21 attorney's fee pursuant to subsection (c) of this section against: (1) A
22 veterinarian licensed pursuant to chapter 384 of the general statutes
23 while following accepted standards of practice of the profession, (2)
24 the state or any political subdivision of the state or any employee,
25 officer or agent thereof while acting within the scope of such
26 employee's, officer's or agent's employment or official duties, or (3) an
27 employee of or volunteer for a nonprofit organization or nonprofit
28 corporation organized and operated exclusively for the prevention of
29 cruelty to animals or the protection of stray, abandoned or mistreated
30 animals while acting within the scope of such employee's or
31 volunteer's employment or duties.

32 Sec. 2. Section 22-351 of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective October 1, 2004*):

34 (a) Any person who steals, confines or conceals any [dog]
35 companion animal, as defined in section 1 of this act, or who, with the
36 intention of stealing such [dog] companion animal or concealing its
37 identity or the identity of its owner or with the intention of concealing
38 the fact that the [dog] companion animal is licensed, removes the collar
39 or harness or tag from any licensed [dog] companion animal, or who
40 unlawfully kills or injures any [dog] companion animal, shall be fined
41 not more than [two hundred] one thousand dollars or imprisoned not
42 more than six months or both, [and shall also be liable to the owner in
43 a civil action.] For a second offense, or for an offense involving more
44 than one [dog] companion animal, any such person shall be fined not
45 more than [five hundred] two thousand dollars or imprisoned not less
46 than one year nor more than three years or be both fined and
47 imprisoned.

48 (b) Any person who violates the provisions of subsection (a) of this
49 section shall be liable to the owner in a civil action, except that, if such
50 person intentionally kills or injures any companion animal, such
51 person shall be liable to the owner in a civil action as provided in
52 section 1 of this act.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Purpose:

To adopt the "Rocky Memorial Act" and thereby permit an owner of a pet to bring a civil action against a person who has intentionally killed or injured such pet and recover economic and punitive damages.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]